

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

NICOLAS MARADIAGA and RAFAEL	§	
MARTINEZ,	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 3:10-CV-1028-L
	§	
INTERMODEL BRIDGE TRANSPORT,	§	
INC.,	§	
	§	
Defendant.	§	

Findings, Conclusions, and Recommendation
of the United States Magistrate Judge

The District Court referred “Plaintiff’s Accounting and Motion for Attorneys’ Fees” (“Motion,” doc. 59), filed October 5, 2011, to the United States Magistrate Judge. No response was filed, and the time to file a response expired. This Court ordered Defendant Intermodal Bridge Transport, Inc. (“IBT”) to pay Plaintiffs’ reasonable attorneys’ fees expended as a result of Plaintiff’s Second Motion to Compel and the subsequent proceedings.


Plaintiffs filed an Accounting supported by the Affidavit of Nellie G. Hooper and a detailed time record. The Court has reviewed the Accounting, the Affidavit, and the detailed time record. The Court finds that Plaintiffs expended \$6,359.90 in reasonable and necessary attorneys’ fees as a result of Plaintiff’s Second Motion to Compel and the subsequent proceedings.

Recommendation

The Court recommends that the District Court grant Plaintiff’s Motion and order Defendant IBT to pay Plaintiffs the sum of \$6,359.90 within twenty days of the District Court’s

adoption of this Court's Findings, Conclusions, and Recommendation, to compensate Plaintiffs for their reasonable and necessary attorneys' fees expended in connection with the Second Motion to Compel and subsequent proceedings.

Signed, November 7, 2011.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND
NOTICE OF RIGHT TO APPEAL/OBJECT**

The United States District Clerk shall serve a copy of these findings, conclusions and recommendation on the parties. Pursuant to Title 28, United States Code, Section 636(b)(1), any party who desires to object to these findings, conclusions and recommendation must serve and file written objections within fourteen days after being served with a copy. A party filing objections must specifically identify those findings, conclusions or recommendation to which objections are being made. The District Court need not consider frivolous, conclusory or general objections. A party's failure to file such written objections to these proposed findings, conclusions and recommendation shall bar that party from a *de novo* determination by the District Court. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Additionally, any failure to file written objections to the proposed findings, conclusions and recommendation within fourteen days after being served with a copy shall bar the aggrieved party from appealing the factual findings and legal conclusions of the Magistrate Judge that are accepted by the District Court, except upon grounds of plain error. *Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).